

**BOROUGH OF DUMONT
BERGEN COUNTY, NJ
EXECUTIVE SESSION MINUTES
FEBRUARY 2, 2010
6:30 PM**

Mayor McHale called the meeting to order at 6:30 PM

Flag Salute, Silent Prayer

Sunshine Law: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Press Journal*, posted on the Borough website and filed with the Borough of Dumont on January 5, 2010.

Roll Call: Council members Carrick, Freeman, Manna, Stylianou, Zamechansky-present
Councilman Caspare-excused absence

Mayor McHale-present

Also in attendance: Administrator Perkins, Borough Clerk Connelly, CFO Giotis,
Borough Attorney Paster (arrived at 6:40PM)

Motion to open to the public: Councilman Manna

Second: Councilman Stylianou

All in favor.

Motion to close to the public: Councilman Manna

Second: Councilman Carrick

All in favor.

Review for Special Public Portion:

RESOLUTIONS

#10-67 Approval of N.J. Chief's Association to Administer Exam for Police Promotions-
Amount not to exceed \$12,000

Councilman Manna explained that the Police Chief had requested that the Police Committee look into replacing a Police Captain and Police Sergeant who had recently retired due to the need for managerial oversight since the implementation of twelve hour shifts. Ordinance #75-9 dictates the procedure to be followed. The CFO had put together a cost analysis for the promotion of one Captain and three Sergeants which showed that the cost savings to the Borough, approximately \$170,000 far outweighed the cost of hiring even with the cost of the test involved. The test will be conducted the last week of May which affords the police officers enough time to study.

#10-68 Approval of Dumont High School Music Boosters On-premise 50/50 Cash Raffle
to be held March 18, 2010; ID #109-5-36714, RL#312

#10-69 Approval of Dumont High School Music Boosters On-premise 50/50 Cash Raffle
to be held May 5, 2010; ID #109-5-36714, RL#313

#10-70 Appointment of T&M Associates as Borough Engineer

Motion to recess to Council Chambers: Councilman Stylianou
Second: Councilman Carrick
All in favor.

The meeting resumed in Council Chambers
Flag Salute, Silent Prayer

Sunshine Law: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Press Journal*, posted on the Borough website and filed with the Borough of Dumont on January 5, 2010.

Roll Call: Council members Carrick, Freeman, Manna, Stylianou, Zamechansky-present
Councilman Caspare-excused absence
Mayor McHale-present
Motion to accept agenda as presented: Councilman Manna
Second: Councilman Carrick
All in favor.

SPECIAL PUBLIC PORTION

Review of Consent Agenda Items: All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

RESOLUTIONS

#10-67 Approval of N.J. Chief's Association to Administer Exam for Police Promotions- Amount not to exceed \$12,000 *

#10-68 Approval of Dumont High School Music Booster On-premise 50/50 Cash Raffle to be held March 18, 2010; ID #109-5-36714, RL#312 *

#10-69 Approval of Dumont High School Music Booster On-premise 50/50 Cash Raffle to be held May 5, 2010; ID #109-5-36714, RL#313 *

#10-70 Appointment of T&M Associates as Borough Engineer *

Councilman Freeman asked to have #70 removed from the consent agenda.

Motion to adopt Resolutions #67 through #69: Councilman Manna

Second: Councilman Stylianou

Councilman Manna explained that Borough Ordinance #75-9 calls for a written portion to the Captain and Sergeants' exams prior to promotion. It was recommended by the Police Chief that an impartial third party administer the test. The N.J. Chief's Association is recognized by the State of New Jersey as a valid testing agency. The reason it was necessary to put the resolution on today's agenda was to afford the officers enough time to study for the exam, which would be administered in late May. Since the contract with

the police for the twelve hour shifts is conditional at this point, it is recommended that the Sergeant positions be done by resolution as opposed to ordinance.

Motion to open to the public on Consent Agenda items: Councilman Manna

Second: Councilman Carrick

All in favor.

Motion to close to the public: Councilman Stylianou

Second: Councilwoman Zamechansky

All in favor.

Roll call vote: Council members Carrick, Freeman, Manna, Stylianou, Zamechansky-yes

Non-Consent Agenda

#10-70 Appointment of T&M Associates as Borough Engineer

Motion to adopt: Councilwoman Zamechansky

Second: Councilman Carrick

Councilwoman Zamechansky commended T&M for going out of their way to explain things and to conduct walkthroughs on projects with the Council and residents.

Councilman Manna stated that they brought the NJEIT Phase I project ahead of schedule and under budget which saved the Borough money.

Mr. Perkins commented that T&M has been coming in once a week to meet with certain Department Heads as well as other Borough work charging a monthly flat fee, which saves the Borough money. They have done excellent work involving very large projects and been complimented by the DEP and the State inspectors.

Mayor McHale stated that one of the platforms he ran on was reinvesting in the Borough's community and our infrastructure. The condition of the sewers, stormwater, roads and sidewalks in 2005 was one of serious decay. He commended Mr. Carrino who deals with the residents on a regular basis.

Motion to open to public: Councilman Manna

Second: Councilwoman Zamechansky

All in favor.

1. Sabino Rodano, 111 Cresskill Avenue, asked why T&M's appointment was not on the Reorganization agenda.
2. Matt Kruger, 111 Thompson Street, stated that his comments are not meant to infer that T&M is not a good company and does not do good work for the town. He spoke of donations T&M has made to campaigns throughout the State.
3. Matt Kruger, 111 Thompson Street, spoke of Pay to Play ordinance.
4. Sabino Rodano, 111 Cresskill Avenue, cited a quote from the Asbury Park Press by someone at T&M Associates regarding political contributions being requested.

Councilman Stylianou asked Mr. Rodano to further explain his comments about contributions. He said that the thought of contributions has no bearing on his consideration when he votes and that he resents the implied accusation.

Motion to close: Councilman Manna

Second: Councilwoman Zamechansky

All in favor.

Roll call vote: Council members Carrick, Manna, Stylianou, Zamechansky-yes

Councilman Freeman-no

Motion to open to the public: Councilman Stylianou

Second: Councilman Manna

All in favor.

1. Kai Chen, 90 Teak Road, asked if the Borough has secured a contract for website services. He also stated that he did not receive a response to an e-mail he sent the Administrator and said that he would fill out an OPRA request.

Motion to close to public: Councilman Stylianou

Second: Councilman Manna

All in favor.

Motion to recess to Executive Chambers: Councilwoman Zamechansky

Second: Councilman Carrick

All in favor.

The Mayor invited all to join them for T&M's presentation on EIT Phase III.

Council President asked for a motion to resume the Executive Session: Councilman Carrick

Second: Councilman Manna

All in favor.

Mr. Carrino, T&M Associates, introduced members of his firm present tonight: Rich Morrale, Ralph Martinez and Rosa Santos. They presented information on the EIT Phase III project. The original study was started in 2006. At that time five areas were identified.

Ms. Santos explained the low interest funding and deadlines for EIT.

Mr. Morrale and Mr. Martinez explained the exhibits and analysis for White Beeches and Roosevelt areas.

Mr. Carrino stated that the planning document is already in. March 1st is the deadline to submit the permit plans and loan application. He asked the Governing Body for verbal authorization to proceed with the application and permit plans for Phase III. This authorization does not involve commitment to spending the approximately \$3,000,000 for the Phase III project. This project involves a minimal number of easements and minimal impact on the neighboring town of Haworth.

It was the consensus of the full Governing Body present to move forward.

Administrator Perkins' Report

There is a request from the Frontier Room to have live entertainment February 20th from 9:30PM to 1:00AM. The Governing Body had no objection as long as there are no noise complaints after 11:00PM according to the Borough noise ordinance.

A Community Development Block Grant held at the Senior Center February 4th.

An application was submitted by the Borough for an Open Space Grant in the amount of \$157,000 matching funds for additional park work. Mayor McHale stated for the record that he is a member of that committee and will recuse himself during consideration of the application.

The Phase I project included the Sanitary Pump Stations. We had pursued reimbursement of \$382,000 from the County for the work done on New Milford Avenue. That money was received and is still in the account. All the electronics at the pump

stations the force main going down to White Beeches should be upgraded. The Borough will go out to bid for the upgrades.

Concrete Construction is planning to start work on the Washington, New Milford and Virginia Avenues intersection March 1st. The intersection will be closed during construction.

Council Committee Reports

- Councilman Stylianou

Ethics Board

The Councilman met with the Ethics Board and attended their meeting.

Environmental Commission

The Councilman met with the Environmental Commission and attended their meeting.

Rent Leveling Board

The Councilman will attend a Rent Leveling Board meeting later this month.

- Councilman Carrick

The Councilman spoke to Mr. Perkins and Councilman Manna about the DPW contract. There are some issues he needs to discuss before sitting down with the DPW.

Shade Tree Commission

The meeting is scheduled for February 16th.

- Councilman Freeman

Board of Education

He and Councilman Carrick attended the NJLM orientation seminar January 23rd.

The Councilman attended the January 21st meeting. The bleachers at the high school will be replaced.

Joint Land Use Board

There was a meeting January 26th. Wilfredo Cintron had resigned. Timothy Hickey remains the Chairperson, Liz Marchese was voted Vice-Chairperson and Ken Melamed Secretary.

There are ongoing issues with Madison Avenue Coachworks regarding fumes and noise.

Library

Circulation was at an all-time high in 2009. There were 110,496 visitors during 2009.

Buildings & Grounds

The Councilman received a list of items from Bill Bowen which need to be addressed.

- Councilman Manna

Finance

The Finance Committee has had two meeting thus far. Submission from Department Heads were reviewed and the CFO's report on the year-end of 2009. There is \$800,000 in surplus.

The Library Director came to the second meeting to request \$30,000 due to the discrepancy between last year and this year's appropriation from the State.

- Councilwoman Zamechansky

The Councilwoman would like Alaimo Engineers to do the survey and designs for Columbia Field. It is on Recreation Commission's agenda for tomorrow.

Mayor McHale's Report

The Mayor will be attending the Recreation Commission meeting to administer the Oath of Office to the Commissioners.

An ordinance has been drafted and will be circulated regarding animals in the park.

Borough Attorney's Report

Mr. Paster received the filed Warrant to Satisfy Judgment regarding the Bland v Dumont lawsuit so the file will be closed on this matter.

The current garbage contract ends April 30, 2010. There was a Writ of Execution served upon the Borough. There is another judgment in the amount of approximately \$460,000 against Scuffy Carting.

He, Councilwoman Zamechansky and Mr. Perkins attended a meeting of Little League regarding a contract for on-line and DVD presentation of Dumont Little League games. There is a revenue component. All parties appeared satisfied that the contract would be a positive addition to the Little League program.

The Mayor read the resolution to go into Closed Session:

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Police Collective Bargaining

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

BE IT RESOLVED, that the public be excluded from this meeting.

Motion: Councilman Manna

Second: Councilwoman Zamechansky

Roll call vote: Council members Carrick, Freeman, Manna, Stylianou, Zamechansky-yes

Motion to go back into public: Councilman Stylianou

Second: Councilman Carrick

All in favor.

Motion to adjourn: Councilman Manna

Second: Councilman Carrick

All in favor.

Meeting was adjourned at 8:55

Minutes respectfully submitted by:

Susan Connelly, RMC

Borough Clerk